

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

MARK MUFFLEY

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CRIMINAL NO.: 23-cr-00120

SCHEDULING ORDER

AND NOW, this 18th day of May, 2023, upon consideration of the defendant's unopposed Motion to Continue Trial and defendant's executed Consent to Continuance of Criminal Trial (ECF No 12), **IT IS HEREBY ORDERED** as follows:

1. **THE COURT FINDING THAT**, in accordance with 18 U.S.C. § 3161(h)(7)(A), the ends of justice served by granting the defendant's motion to continue outweighs the interest of the public and of the defendant in a speedy trial; and the court finding that this continuance furthers the ends of justice by allowing the defendant a reasonable time to effectively prepare for trial and to engage in plea negotiations with the government; accordingly, **IT IS HEREBY ORDERED** that the defendant's unopposed motion for continuance of the trial (ECF No. 12) is **GRANTED**, and the period of delay from the entry of this order until the trial date set herein shall be excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A).

2. All pretrial motions, including motions in limine, shall be filed no later than **July 10, 2023**. All responses to pretrial motions, including motions in limine, shall be filed no later than **July 24, 2023**.

3. An evidentiary hearing on pretrial motions, if necessary, shall be held on **Thursday, August 3, 2023 at 1:30 p.m.** at 504 West Hamilton Street, Courtroom 4B, Allentown, Pennsylvania.

4. Pretrial memoranda, *voir dire* questions, joint proposed jury instructions and verdict forms, and trial exhibits shall be filed no later than **August 25, 2023**. Proposed jury

instructions must be prepared and submitted to the Court in compliance with all requirements in Paragraph IV.F of the Court's Policies & Procedures. If the parties disagree about any portion of the jury instructions or verdict forms, then each party shall submit its own proposal for that portion of the jury instruction or verdict form supported by a citation to authority and a brief explanation of why the Court should adopt the party's proposed jury instruction or verdict form. These submissions should be included as a supplement to the joint proposed jury instructions and verdict forms.

5. **A final pretrial conference will be held on Wednesday, September 13, 2023 at 1:30 p.m.** at 504 West Hamilton Street, Courtroom 4B, Allentown, Pennsylvania. Counsel shall be prepared to address any pending motions *in limine* and objections to witnesses and exhibits. Trial counsel must attend the final pretrial conference and only those attorneys attending the conference may participate in the trial;

6. **The selection of a jury shall take place on Friday, September 22, 2023, at 9:00 a.m.** Jury selection will take place at the James A. Byrne United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania, in a courtroom to be determined; and

7. **A jury trial shall resume before this Court on Monday, September 25, 2023, at 9:00 a.m.** at 504 West Hamilton Street, Courtroom 4B, Allentown, Pennsylvania.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER

United States District Court Judge